

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 BRICK P. HOUSTON,

4 Plaintiff

5 v.

6 STATE OF NEVADA et al.,

7 Defendants.
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Case No. 2:18-cv-01115-JAD-EJY

ORDER

9 **I. DISCUSSION**

10 According to the Nevada Department of Corrections (“NDOC”) inmate database, Plaintiff is
11 no longer incarcerated. However, Plaintiff has not filed an updated address with this Court. The
12 Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately
13 file with the court written notification of any change of mailing address, email address, telephone
14 number, or facsimile number. The notification must include proof of service on each opposing party
15 or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action,
16 entry of default judgment, or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA
17 3-1. This Court grants Plaintiff thirty (30) days from the date of entry of this order to file his updated
18 address with this Court. If Plaintiff does not update the Court with his current address within thirty
19 (30) days from the date of entry of this order, the Court will dismiss this action without prejudice.

20 Additionally, the Court denies the application to proceed *in forma pauperis* for prisoners
21 (ECF No. 4) as moot because Plaintiff is no longer incarcerated. The Court now directs Plaintiff to
22 file an application to proceed *in forma pauperis* by a non-prisoner within thirty (30) days from the
23 date of this order or pay the full filing fee of \$400.

24 **II. CONCLUSION**

25 For the foregoing reasons, IT IS ORDERED that Plaintiff will file his updated address with
26 the Court within **thirty (30) days** from the date of this order.
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1 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for
2 prisoners (ECF No. 4) is DENIED as moot.

3 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved
4 form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled
5 information and instructions for filing an *in forma pauperis* application.

6 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
7 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis* for non-
8 prisoners; or (2) pay the full filing fee of \$400.

9 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, the
10 Court will dismiss this case without prejudice.

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12 DATED THIS 23rd day of August 2019.

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15 ELAYNA J. YOUCHAH
16 UNITED STATES MAGISTRATE JUDGE
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